

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Allen Sharp	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	99 C 5719	DATE	June 29, 2000
CASE TITLE	Everett Alexander Burnett v. Judges Conlon and Norgle		

[In the following box (a) indicate the party filing the motion, e.g., Plaintiff, defendant, 3rd party Plaintiff, and (b) state briefly the nature of the motion being presented.]

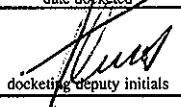
MOTION:

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DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due ____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] For the reasons stated in the attached MEMORANDUM AND ORDER, the court denies Plaintiff's petition for review of order of agency, board of officer by U.S. House of Representatives or Supreme Court of United States[15], and advises him that if he wishes to proceed further with this appeal, he should file a motion to proceed in forma pauperis in the court of appeals pursuant to Fed. R. Civ. P. 24(a)(5). All other pending motions are denied as moot.

X SEE ATTACHED MEMORANDUM AND ORDER

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	courtroom deputy's initials STE	JUN 30 2000 date docketed  docketing deputy initials date mailed notice mailing deputy initials	Document Number	
			16	
Date/time received in central Clerk's Office				

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EVERETT ALEXANDER BURNETT,)

Plaintiff,)

vs.)

SUZANNE B. CONLON and CHARLES
L. NORGLE,)

Defendants.)

DOCKETED

JUN 30 2000

CAUSE NO. 99 C 5719

MEMORANDUM AND ORDER

Everett Alexander Burnett, a prisoner currently confined at Jackson Maximum Facility, Jackson, Michigan, filed this pro se complaint pursuant to 42 U.S.C. § 1985 against Suzanne B. Conlon and Charles L. Norgle, United States District Court Judges for the Northern District of Illinois. Mr. Burnett asserted that the defendants violated his federally protected rights by dismissing cases he filed, pursuant to 28 U.S.C. § 1915(e)(2). This court screened the complaint pursuant to 28 U.S.C. § 1915A, and dismissed the complaint based on the doctrine of judicial immunity. Mr. Burnett filed a notice of appeal and a petition to proceed *in forma pauperis*. On May 26, 2000, this court certified that the appeal in this case was not taken in good faith, denied Mr. Burnett's motion to proceed *in forma pauperis*, and advised him that Federal Rule of Civil Procedure 24(a)(5) allows an appellant to file a motion to proceed *in forma pauperis* in the court of appeals within 30 days

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after the clerk of the district court has provided him with the notification discussed in Fed. R. Civ. P. 24(1)(4) that the district court has determined that he is not entitled to proceed *in forma pauperis* on appeal.

This case is now before the court on the plaintiff's petition for review of order of agency, board of officer by U.S. House of Representatives or Supreme Court of United States. This document appears to be primarily a diatribe concerning the state of race relations in the United States, accusing whites in general, and Justice Department officials and F.B.I. agents in particular, of pursuing genocidal policies against black Americans. On page three of his submission, in a typical passage, Mr. Burnett states that "all white people are nothing more than racist lying [sic] . . . incest bread [sic] tobacco chewing beer drinking baby rapeing [sic] murdering devils."

The court is unable to determine what Mr. Burnett hoped to accomplish by filing his petition for review of order of agency, board of officer by U.S. House of Representatives or Supreme Court of United States with the clerk of the United States District Court for the Northern District of Illinois. To the extent that he might be asking this court to reconsider its earlier decisions, it is without merit. For the reasons stated in its orders of March 8 and May 26, 2000, Mr. Burnett's suit against Judges Conlon and Norgle is barred by the doctrine of judicial immunity and his attempt to appeal the dismissal of his case against these judges is patently frivolous. To the extent Mr. Burnett seeks to have the United States Court of Appeals for the Seventh Circuit review the decision to certify his appeal as frivolous and

deny him leave to proceed *in forma pauperis*, he should file his request with the clerk of the United States Court of Appeals for the Seventh Circuit, not with the clerk of the District Court.

For the foregoing reasons, the court **DENIES** the plaintiff's petition for review of order of agency, board of officer by U.S. House of Representatives or Supreme Court of United States, and advises him that if he wishes to proceed further with this appeal, he should file a motion to proceed *in forma pauperis* in the court of appeals pursuant to Fed. R. Civ. P. 24(a)(5).

IT IS SO ORDERED.

DATED: June 27, 2000



ALLEN SHARP, JUDGE
UNITED STATES DISTRICT COURT